



DEPARTMENT OF THE ARMY
31st MILITARY POLICE DETACHMENT (CID) (FWD)
3d MILITARY POLICE GROUP (CID) (FWD)
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
APO AE 09325-6169

REPLY TO
ATTENTION OF

CIRC-CFC (195-2)

12 July 2003

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL - 0050-03-CID389-61657- 7C18
5Y2K1/7G2A1/7G4B/5Y2B/5C1Q1/5M3A

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 6 JUN 2003/2330 - 7 JUN 2003/0100; VICINITY OF GRID COORDINATE 38S LE 6491 9014, PATROL COMPOUND, A COMPANY, 1/327TH INFANTRY REGIMENT, GUWAIRE, MAKHMOUR, IRAQ
2. 7 JUN 2003/0200 - 7 JUN 2003/0210; VICINITY OF GRID COORDINATE 38S LE 64578 90504, VILLAGE OF GUWAIRE, MAKHMOUR, IRAQ
3. 7 JUN 2003/0215 - 7 JUN 2003/0215; VICINITY OF GRID COORDINATE 38S LE 64596 90446, VILLAGE OF GUWAIRE, MAKHMOUR, IRAQ
4. 7 JUN 2003/0230 - 7 JUN 2003/0235; VICINITY OF GRID COORDINATE 38S LE 64697 90422, VILLAGE OF GUWAIRE, MAKHMOUR, IRAQ
5. 7 JUN 2003/0235 - 7 JUN 2003/0240; VICINITY OF GRID COORDINATE 38S LE 64963 90530, VILLAGE OF GUWAIRE, MAKHMOUR, IRAQ
6. 7 JUN 2003/0300 - 7 JUN 2003/0305; VICINITY OF GRID COORDINATE 38S LE 64990 90436, VILLAGE OF GUWAIRE, MAKHMOUR, IRAQ
7. 12 JUN 2003/0930 - 12 JUN 2003/ 1317; 1ST BRIGADE TACTICAL OPERATIONS CENTER (TOC), QAYYARAH, IRAQ.

DATE/TIME REPORTED: 10 JUNE 2003, 1700

INVESTIGATED BY: (b)(6) (b)(7)(C) (b)(3), (b) (7)(E)
(b)(6) (b)(7)(C) (b)(3), (b) (7)(E)

SUBJECT: 1. NIAGAWOE, JOHN NACK; SPC; (b)(6) (b)(7)(C) (b)(3)

(b)(6) (b)(7)(C) (b)(3) M; BLACK; (b)(6) (b)(7)(C) (b)(3)

(b)(6) (b)(7)(C) (b)(3) FORT CAMPBELL, KY 42223; FC; [BURGLARY] [LARCENY OF PRIVATE FUNDS] [FAILURE TO OBEY A GENERAL ORDER] [AGGRAVATED ASSAULT] [FALSE OFFICIAL STATEMENTS]

2. JOHNSON, JUSTIN DEREK; PFC; (b)(6) (b)(7)(C) (b)(3)

(b)(6) (b)(7)(C) (b)(3) M; WHITE; (b)(6) (b)(7)(C) (b)(3)

(b)(6) (b)(7)(C) (b)(3) FORT CAMPBELL, KY 42223; FC; [BURGLARY] [LARCENY OF

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PRIVATE FUNDS] [FAILURE TO OBEY A GENERAL ORDER] [AGGRAVATED
ASSAULT] [FALSE OFFICIAL STATEMENTS]

3. (b)(6) (b)(7)(C) (b)(3)
(b)(6) (b)(7)(C) (b)(3) M; WHITE; (b)(6) (b)(7)(C) (b)(3)
(b)(6) (b)(7)(C) (b)(3) FORT CAMPBELL, KY 42223; FC; [BURGLARY] [LARCENY OF PRIVATE
FUNDS] [AGGRAVATED ASSAULT] [FALSE OFFICIAL STATEMENTS]

4. GONZALES, NATHANIEL TITO; PVT; (b)(6) (b)(7)(C) (b)(3)
(b)(6) (b)(7)(C) (b)(3) M; WHITE; (b)(6) (b)(7)(C) (b)(3)
(b)(6) (b)(7)(C) (b)(3) FORT CAMPBELL, KY 42223; FC; [MISBEHAVIOR OF A
SENTINEL] [BURGLARY] [LARCENY OF PRIVATE FUNDS] [FAILURE TO OBEY A
GENERAL ORDER] [AGGRAVATED ASSAULT] [FALSE OFFICIAL STATEMENTS]

VICTIM: 1. (b)(6) (b)(7)(C) M; OTHER;
VILLAGE OF GUWAIRE, MAKHMOUR, IRAQ; ZZ; [BURGLARY] [AGGRAVATED
ASSAULT]

2. (b)(6) (b)(7)(C) M; OTHER;
VILLAGE OF GUWAIRE, MAKHMOUR, IRAQ; ZZ; [BURGLARY] [AGGRAVATED
ASSAULT]

3. (b)(6) (b)(7)(C) M;
OTHER; VILLAGE OF GUWAIRE, MAKHMOUR, IRAQ; ZZ [BURGLARY] [LARCENY
OF PRIVATE FUNDS]

4. (b)(6) (b)(7)(C) M; OTHER; VILLAGE
OF GUWAIRE, MAKHMOUR, IRAQ; ZZ; [BURGLARY] [AGGRAVATED ASSAULT]

5. (b)(6) (b)(7)(C) M; OTHER; VILLAGE OF
GUWAIRE, MAKHMOUR, IRAQ; ZZ; [BURGLARY] [AGGRAVATED ASSAULT]

6. U.S. GOVERNMENT (A COMPANY, 1/327TH INFANTRY REGIMENT,
(MAKHMOUR, IRAQ) FORT CAMPBELL, KY 42223); [MISBEHAVIOR OF A SENTINEL]
[FAILURE TO OBEY A GENERAL ORDER] [FALSE OFFICIAL STATEMENTS]

INVESTIGATIVE SUMMARY:

"This is an Operation Iraqi Freedom Investigation"

This investigation was initiated when (b)(6) (b)(7)(C) (b)(3)
(b)(6) (b)(7)(C) (b)(3) reported that SPC NIAGAWOE, PFC JOHNSON, (b)(6) (b)(7)(C) (b)(3)
(b)(6) (b)(7)(C) (b)(3) and PVT GONZALES stole approximately 56,000.00 Iraqi Dinar from the
residence of an Iraqi citizen.

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The investigation established SPC NIAGAWOE, PFC JOHNSON, (b)(6) (b)(7)(C) (b)(3) and PVT GONZALES committed the offenses of aggravated assault, burglary, and larceny of private funds when they entered several Iraqi residences during the hours of darkness, armed with weapons, and stole approximately 56,000.00 Iraqi Dinar.

The investigation established SPC NIAGAWOE, PFC JOHNSON, (b)(6) (b)(7)(C) (b)(3) and PVT GONZALES committed the offense of False Official Statement when they provided statements regarding the incident which they knew to be false.

The investigation established SPC NIAGAWOE, PFC JOHNSON, and PVT GONZALES committed the offense of Failure to Obey a General Order when they consumed alcohol in violation of CENTCOM General Order 1A.

The investigation established PVT GONZALES committed the offense of Misbehavior of a Sentinel when he left his assigned guard post to assist the others in the commission of the burglary, aggravated assault, and larceny of private funds.

STATUTES:

- Article 129, UCMJ: Burglary
- Article 128, UCMJ: Aggravated Assault
- Article 121, UCMJ: Larceny of Private Funds
- Article 113, UCMJ: Misbehavior of a Sentinel
- Article 107, UCMJ: False Official Statements
- Article 92, UCMJ: Failure to Obey a General Order

EXHIBITS/SUBSTANTIATION:

Attached:

1. Agent's Investigation Report (AIR) of (b)(6) (b)(7)(C) (b)(3) 10 Jul 03, detailing the Basis for Investigation; interview of victims and subjects, crime scene verification, subject re-interviews, coordination with unit commander, and coordination with SJA.
2. Waiver Certificate and Sworn Statement of PFC JOHNSON, 12 Jun 03, wherein he admitted he entered and stole money from an Iraqi residence.
3. Waiver Certificate and Sworn Statement of SPC NIAGAWOE, 12 Jun 03, wherein he admitted he entered and stole money from an Iraqi residence.
4. Waiver Certificate and Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 12 Jun 03, wherein he admitted he provided security with a weapon while PFC JOHNSON and SPC NIAGAWOE entered two Iraqi residences.

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5. Waiver Certificate and Sworn Statement of PVT GONZALES, 12 Jun 03, wherein he admitted to serving as an armed look-out while PFC JOHNSON and SPC NIAGAWOE illegally entered two Iraqi residences.

6. Compac disc containing digital images of Crime Scene. (1 thru 48)

7. Crime Scene Sketches (1-5), 18 Jun 03, depicting Iraqi residences.

8. Waiver Certificate of SPC NIAGAWOE, 20 Jun 03.

9. Waiver Certificate and Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 20 Jun 03, wherein he admitted he observed PFC JOHNSON with a weapon when PFC JOHNSON he left the compound.

10. Waiver Certificate of PFC JOHNSON, 20 Jun 03.

11. Aerial Map, depicting aerial view of A Company, 1/327th Infantry Regiment Compound and Iraqi national residences, 22 Jun 03.

The original of Exhibits 1 through 11 will remain in the files of this office pending adjudication.

STATUS: This is a Final Report. Commander's Report of Disciplinary Action Taken (DA Form 4833) is pending.

Report Prepared By:

Report Approved By:

(b)(6) (b)(7)(C) (b)(3), (b) (7)(E)

(b)(6) (b)(7)(C) (b)(3)

DISTRIBUTION:

- 1 - Director, U.S. Army Crime Records Center, USACIDC, Attn: CICR-CR, 6010 6th Street, Fort Belvoir, VA 22060-5506 (Original)
- 1 - Commander, U.S. Army Criminal Investigation Command, Attn: CIOP-ZA, 6010 6th Street, Fort Belvoir, VA 22060
- 1 - Commander, 10th MP Battalion (CID) (FWD), 3rd Military Police Group (CID), Attn: Operations Officer, Baghdad, Iraq
- 1 - Commander, 3d Military Police Group (CID), Attn: Operations Officer, USACIDC, Camp Arifjan, Kuwait

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- 1 - Commander, A Company, 1/327th Infantry Regiment, 101st Airborne Division (Air Assault)
- 1 - Division Provost Marshal's Office, 101st Airborne Division (Air Assault)
- 1 - Chief of Staff, 101st Airborne Division (Air Assault)
- 1 - Staff Judge Advocate, 101st Airborne Division (Air Assault)
- 1 - File

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